

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)
) CR-08-088-RHW-2
Plaintiff,)
) ORDER GRANTING DEFENDANT'S
v.) MOTION FOR RECONSIDERATION
) AND SETTING CONDITIONS OF
JABARI McCASKILL,) RELEASE
)
Defendant.)

At Defendant's July 25, 2008 hearing on Defendant's Motion for Reconsideration, Assistant U.S. Attorney Aine Ahmed appeared for the United States. Defendant was present with CJA counsel, Joseph Nappi. The Government did not oppose defendant's release.

Based upon the proffer that the outstanding Warrant has been resolved, the remarks from the Government, and the Pretrial Services report, the court found that conditions of release can be set that would assure defendant's future appearance.

IT IS ORDERED the Motion for Reconsideration (**Ct. Rec. 33**) is **GRANTED**. Defendant shall be released, subject to the following conditions:

1. Defendant shall not commit any offense in violation of federal, state or local law. Defendant shall advise his supervising Pretrial Services Officer and his attorney within one business day of any charge, arrest, or contact with law enforcement.

1 2. Defendant shall advise the court and the United States
2 attorney in writing before any change in address.

3 3. Defendant shall appear at all proceedings as required and
4 shall surrender for service of any sentence imposed as directed.

5 4. Defendant shall sign and complete form A.O. 199C before
6 being released and shall reside at the address furnished.

7 5. Defendant shall remain in the Eastern District of
8 Washington while the case is pending.

9 6. Defendant shall not possess a firearm, destructive device
10 or other dangerous weapon.

11 7. Defendant is further advised, pursuant to 18 U.S.C. §
12 922(n), it is unlawful for any person who is under indictment for a
13 crime punishable by imprisonment for a term exceeding one year to
14 ship or transport in interstate or foreign commerce any firearm or
15 ammunition or receive any firearm or ammunition which has been
16 shipped or transported in interstate or foreign commerce.

17 8. Defendant shall refrain from the use of alcohol, and the
18 use or possession of a narcotic drug and other controlled substances
19 defined in 21 U.S.C. § 802, unless prescribed by a licensed medical
20 practitioner. Defendant shall undergo a substance abuse evaluation,
21 as directed by a United States Probation Officer, and complete
22 treatment indicated by the evaluation. Defendant shall be
23 responsible for the cost of testing, evaluation and treatment unless
24 the United States Probation Office should determine otherwise. The
25 United States Probation Office shall also determine the time and
26 place of testing and evaluation and the scope of treatment. If
27 random urinalysis testing is not done through a treatment program,

1 random urinalysis testing shall be conducted through Pretrial
2 Services, and shall not exceed six (6) times per month.

3 9. Defendant shall report to the United States Probation
4 Office before or immediately after his release and shall report as
5 often as they direct, at such times and in such manner as they
6 direct. Defendant shall contact his attorney at least once a week.

7 10. Defendant shall post a \$10,000 corporate surety bond.

8 11. Defendant shall have no contact with Marcus Dansby or any
9 known convicted felons.

10 12. Defendant shall remain on home detention, but is allowed to
11 be away from the home for legal matters, treatment, court-ordered
12 community service and up to two hours weekly for spiritual matters.
13 Defendant shall advise Pretrial Services of his schedule prior to
14 leaving the home.

15 **Defendant is advised a violation of any of the foregoing**
16 **conditions of release may result in the immediate issuance of a**
17 **warrant for arrest, revocation of release and prosecution for**
18 **contempt of court, which could provide for imprisonment, a fine, or**
19 **both. Specifically, Defendant is advised a separate offense is**
20 **committed by the knowing failure to appear and an additional**
21 **sentence may be imposed for the commission of a crime while on**
22 **release. In this regard, any sentence imposed for these violations**
23 **is consecutive to any other sentence.**

24 **IT IS FURTHER ORDERED** that the United States Marshal shall keep
25 the Defendant in custody until notified by the District Court
26 Executive or judicial officer that the Defendant has posted bond
27 and/or complied with all other conditions for release. The
28

1 Defendant shall be produced before the appropriate judicial officer
2 at the time and place specified, if still in custody.

3 DATED July 25, 2008.

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5 s/ CYNTHIA IMBROGNO
6 UNITED STATES MAGISTRATE JUDGE
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